REMARKS

Claims 1 to 19 are pending in this application. Claims 12 to 19 were restricted and Claim 1 was amended.

Applicants note and wish to thank the Examiner for acknowledging that claims 7 to 11 are allowable.

The rejection to claim 1 under 35 USC 102(b) for being anticipated by GB 1,107,143 ("GB 143") is respectfully traversed. GB '143 relates to di-(hydroxynaphthyl)-triazine compounds where the hydroxy group is ortho to the point of attachment to the triazine ring (e.g., see col. 1, lines 9 to 16 and definition of R). The Examiner contends that GB '143 also teaches a mono naphthol triazine in the formula at col.1 line 25. However, this formula only relates to a bis(halo)-mononaphthol-triazine. In contrast, present claim 1 does not recite a bis(halo)-mononaphthol-triazine compound.

Furthermore, with the present amendment to the definition of Z, claim 1 does not recite bis(2-hydroxynaphthyl)-triazine compounds. Since GB '143 does not disclose each and every element of the present claims, the 102(b) rejection should be withdrawn.

The rejection of claims 1 to 6 under 35 USC 103(a) for being obvious under U.S. Patent No. 3,118,887 to Hardy et al. (Hardy) is respectfully traversed. The Office Action acknowledges that Hardy only discloses examples of tris(2-hydroxynaphthyl)-triazines and not the mono(2-hydroxynaphthyl)-triazines of the present invention. The Office Action contends that Hardy teaches the equivalency of mono and tris(2-hydroxynaphthyl)-triazines by the definition of X,Y and Z in Formula I at col.1, line 60. However, formula I is only a generic disclosure and not at all specific to mono(2-hydroxynaphthyl)-triazines. In fact, Formula I and the definition of X, Y and Z represent an almost infinite number of triazine compounds. There is no description anywhere in Hardy that teaches or suggests the equivalency of mono and tris(2-hydroxynaphthyl)-triazine. When the PTO asserts that there is an implicit or explicit teaching or suggestion in the prior art, it must indicate the location where such teaching or suggestion appears in the reference. *In re Rijckaert*, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993) (citing *In re Yates*, 211 USPQ 1149, 1151 (CCPA 1881). "[T]he Board must identify specifically... the reasons one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious." *Ruiz v. A.B. Chance Co.*, 57 U.S.P.Q.2d 1161, 1167 (Fed Cir. 2001) (quoting *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1459 (Fed Cir. 1998). Since there in no explicit or even implicit teaching suggesting such equivalency, the 103(a) rejections should be withdrawn.

Applicants respectfully submit that the Office Action's use of Hardy's generic disclosure is an obvious to try argument. As the Board of Patent Appeals and Interferences discussed in Ex parte Obukowicz, 27 U.S.P.Q. 2d 1063 (1992), a prior art reference that only gives general guidance and is not at all specific to the particular form of the claimed invention and how to achieve it may make a certain obvious to try, but does not make the claimed invention obvious (citing In re O'Farrell, 853, F.2d 894, 7 U.S.P.Q 1673, 1681 (Fed. Cir. 1988)). Since Hardy only gives general guidance and is not at all specific to mono(2-hydroxynaphthyl)-triazine, the Office Action is using an obvious to try standard, which is not the proper standard for a prima facie case of obviousness. Therefore, the 103(a) rejection should be withdrawn.

The rejection of claims 1 to 6 under 35 U.S.C. 103(a) for being obvious under U.S. Published Application No. 2001/0020094 to Gupta et al. (Gupta) is respectfully traversed. Applicants respectfully submit that Gupta is not a proper 103(a) reference for this application. Gupta is a 102(e)(1)/103(a) type-reference. According to 35 U.S.C. 103(c), subject matter developed by another person under subsections e, f and g of section 102 shall not preclude patentability under section 103, if at the time the invention was made, it was owned by the same person. Both the subject matter in Gupta and the instant invention are owned by Cytec Technology Corp. Therefore, Gupta can not be used as a 103(a) reference and the rejection should be withdrawn.

Accordingly, it is believed that pending claims 1 to 11 are in condition for allowance and an early notification of such allowance would be appreciated.

Applicants would like to remind the Examiner that claims 12 to 19 have not been withdrawn from this Application. If claims 1 to 6 are allowable, Applicants respectfully request that method claims 12 to 14 be rejoined under MPEP §821.04 since the all the product claims are allowable and the non-elected method claims include all the limitations of the product claims.

In addition, Applicants also would request rejoinder of composition claims 15 to19 since if products claims 1 to 11 are novel and non-obvious, any claims that wholly depend on claims 1 to 11 would also be novel and non-obvious. Since claims 15 to 19 wholly depend on claims 1 to 11, they should be rejoined.

No fee is believed due for the submission of this response. Should any fee be required, please charge Deposit Account No. 03-4083.

Respectfully submitted

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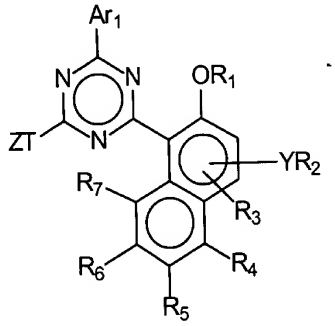
EXHIBIT A

Changes to the Claims

The rewritten claims were revised as follows:

1. (twice amended) A triazine compound of Formula I:



Formula I

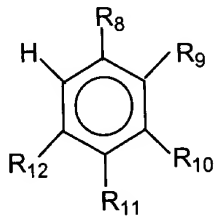
wherein R_1, R_2, are the same or different and each is hydrogen, alkyl of 1 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, cycloalkyl of 5 to 25 carbon atoms, cycloacyl of 5 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, aracyl of 6 to 24 carbons atoms, COR, CONRR', and SO_2R;

R_3, R_4, R_5, R_6 and R_7 are the same or different and each is hydrogen, halogen, alkyl of 1 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, cycloalkyl of 5 to 25 carbon atoms, cycloacyl of 5 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, aracyl of 6 to 24 carbons atoms, OR, NRR', CONRR', OCOR, CN, SR, SO_2R, SO_3H, SO_3M, wherein M is an alkali metal, R and R' are the same or different and each is hydrogen, alkyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, cycloalkyl of 1 to 24 carbon atoms, cycloacyl of 5 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, or aracyl of 6 to 24 carbons atoms, and Y is a direct bond, O, NR", or S, wherein R" is hydrogen, alkyl of 1 to 24 carbon atoms, haloalkyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, cycloalkyl of 1 to 24 carbon atoms, cycloacyl of 5 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, or aracyl of 7 to 24 carbons atoms;

wherein T is a direct bond, oxygen, NR' or sulfur;

and when T is oxygen, NR' or sulfur, Z is a hydrogen, substituted or unsubstituted alkyl of 1 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aracyl of 7 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms,

cycloalkyl of 5 to 24 carbon atoms, cycloacyl of 5 to 24 carbon atoms, substituted or unsubstituted alkyl of 1 to 24 carbon atoms interrupted with at least one hetero atom, cycloalkyl of 5 to 24 carbon atoms interrupted with at least one hetero atoms, CONR'''R'''', SO_2R''' or Ar_2, wherein R''' is substituted or unsubstituted alkyl group of 1 to 24 carbon atoms; R'''' is hydrogen or substituted or unsubstituted alkyl group of 1 to 24 carbon atoms; and when T is a direct bond, Z is a hydrogen, halogen, substituted or unsubstituted alkyl of 1 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aracyl of 7 to 24 carbon atoms, ~~aryl of 6 to 24 carbon atoms,~~ aralkyl of 7 to 24 carbon atoms, cycloalkyl of 5 to 24 carbon atoms, cycloacyl of 5 to 24 carbon atoms, substituted or unsubstituted alkyl of 1 to 24 carbon atoms interrupted with at least one hetero atom, cycloalkyl of 5 to 24 carbon atoms interrupted with at least one hetero atoms, CONR'''R'''', SO_2R''' or Ar_2, wherein R''' is substituted or unsubstituted alkyl group of 1 to 24 carbon atoms; R'''' is hydrogen or substituted or unsubstituted alkyl group of 1 to 24 carbon atoms; wherein Ar_1 and Ar_2 are each independently a radical of Formula II



Formula II

wherein R_8, R_9, R_{10}, R_{11}, and R_{12} are the same or different and each is hydrogen, halogen, alkyl of 1 to 24 carbon atoms, aryl of 6 to 24 carbon atoms, alkenyl of 2 to 24 carbon atoms, acyl of 1 to 24 carbon atoms, aralkyl of 7 to 24 carbon atoms, aracyl of 6 to 24 carbon atoms, OR, NRR', CONRR', OCOR, CN, SR, SO_2R, SO_3H, SO_3M, wherein M is an alkali metal, and optionally with either of R_8 and R_9, R_9 and R_{10}, R_{10} and R_{11}, or R_{11} and R_{12}, taken together being a part of a saturated or unsaturated fused carbocyclic ring optionally having O, N, or S atoms in the ring with the proviso that the radical of Formula II is not a naphthyl substituted with a hydroxyl group ortho to the point of attachment to the triazine ring.